

CLASSIFICATION OFFICE DECISION

Title of publication: Image 10

Other known title(s): Not stated

OFLC ref: 1300568.009

Medium: Computer Image File Printout

Publisher: Not stated

Country of origin: Not stated

Language: English

Applicant: Secretary for Internal Affairs

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| Classification: | Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years. |
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Descriptive note: None

Display conditions: None

Date of entry in Register: 06 September 2013

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 06 September 2013

Summary of reasons for decision:

The image is classified objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The image is a realistic computer generated representation of a shirtless man pulling the bedcovers off a sleeping naked woman spreadeagled on the bed. A watermark saying "animated incest" implies a context but nothing else in the picture suggests incest. The image appears to be part of a wider adult sexual fantasy and is laden with sexual innuendo. The publication's injury lies in children and young persons being exposed to sexual images intended to sexually arouse before they are developmentally ready, which is likely to negatively impact on their attitudes towards sex and adult sexual relationships. The restriction is thus reasonable, demonstrably justifiable and the lowest limitation that prevents the harm occurring. This restriction goes against the presumption of freedom of expression but such restrictions are allowed where it is reasonable and demonstrably justifiable to do so.